



PUBLIC NOTICE

Federal Communications Commission
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DA 15-717
June 18, 2015

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF BROADVOX-CLEC, LLC TO ONVOY, LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 15-138

Comments Due: July 2, 2015

Reply Comments Due: July 9, 2015

The Broadvox Holdings Company, LLC (BV Holding), Broadvox CLEC, LLC (BV-CLEC), and Onvoy, LLC (Onvoy) (collectively, Applicants) filed an application pursuant to section 214 of the Communications Act of 1934, as amended (Act),¹ requesting approval for the transfer of control of BV-CLEC to Onvoy.

BV-CLEC, a Delaware limited liability company, is a direct subsidiary of BV-Holding, a Delaware limited liability company. BV-Holding is a wholly owned, direct subsidiary of Broadvox, Inc., an Ohio corporation. BV-CLEC provides access to the public switched telephone network, telephone numbers and other functionalities to its VoIP-provider affiliate, Broadvox, LLC (BV-LLC), a Delaware limited liability company. BV-CLEC is authorized to provide telecommunications services in the District of Columbia, and in every state except Alaska, Delaware, Iowa, and Maine.

Onvoy, a Minnesota limited liability company, is a wholly owned, direct subsidiary of Communications Infrastructure Investments, LLC (CII), a Delaware limited liability company. Onvoy provides primarily wholesale local exchange and long distance services, switched access, transit and other services to other carriers and communications providers. Applicants state that Onvoy is authorized to provide intrastate telecommunications services in the District of Columbia and in every state except Alaska, Arkansas (pending application), Connecticut (pending application), Hawaii, Mississippi, Tennessee, Vermont (pending application), and West Virginia. Onvoy has two subsidiaries that provide domestic telecommunications services: Zayo Enterprise Networks, LLC (ZEN) and Minnesota Independent Equal Access Corporation (MIEAC). ZEN provides telecommunications services in Colorado, Idaho, Indiana, Michigan, Minnesota, Ohio, Tennessee and Washington. MIEAC provides centralized equal access services in Minnesota and North Dakota. Applicants state that CII has no majority owner. Onvoy is ultimately held by the following U.S. entities: Oak Associates XII, LLC; M/C

¹ 47 C.F.R. § 63.03; see 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

Venture Partners, LLC; GTCR Investment X LLC; Columbia Capital IV, LLC; and Charlesbank Capital Partners, LLC.²

Pursuant to the Membership Interest Purchase Agreement (Agreement) between BV-Holding and Onvoy, Onvoy will acquire all of the issued and outstanding membership interests in BV-CLEC.³ As a result, direct ownership and control of BV-CLEC will be transferred from BV-Holding to Onvoy and ultimate ownership and control of BV-CLEC will be transferred to CII. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under sections 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.⁴

Domestic Section 214 Application Filed for the Transfer of Control of Broadvox-CLEC, LLC to Onvoy, LLC, WC Docket No. 15-138 (filed June 12, 2015).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before July 2, 2015**, and reply comments **on or before July 9, 2015**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

² Applicants represent that all these investment firms and their affiliated Managing Members, Executive Managing Members, and Members of Board of Managers of are all U.S. citizens/entities. *See* Application for a complete description of Onvoy's ownership. Domestic Section 214 Application Filed for the Transfer of Control of Broadvox-CLEC, LLC to Onvoy, LLC, WC Docket No. 15-138 (filed June 12, 2015) (Application) at pp.7-11.

³ Pursuant to the Agreement, Onvoy will also acquire all of the issued and outstanding membership interest in Broadvox, LLC. Onvoy is not acquiring any other subsidiaries of BV-Holding as part of the proposed transaction.

⁴ 47 C.F.R. 63.03(b)(2)(i).

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), 1-888-835-5322 (tty).

The proceeding in this Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission’s ex parte rules.

For further information, please contact Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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